

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In Re: New York City Policing During Summer : ORDER  
2020 Demonstrations : 20 Civ. 8924 (CM) (GWG)  
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**GABRIEL W. GORENSTEIN, United States Magistrate Judge**

The Court has reviewed the plaintiffs' application relating to the scheduling of depositions (Docket # 324) and defendants' response (Docket # 329).

It was certainly the Court's intention that the depositions of all expected deponents be scheduled at the earliest possible time. The Court rejects the notion that the work commitments of high-level officials are such that their depositions may only be scheduled at the last minute. If anything, the opposite is true. People with busy schedules should be asked to block out time for Court-related commitments well in advance. If their schedule changes at the last minute in a manner that makes participation in a deposition essentially impossible, that circumstance can be dealt with at the time. That being said, an official should not make a conflicting commitment on a day reserved for a deposition unless there is both an emergent reason to do so and the official can offer up an alternative day soon after the reserved day.<sup>1</sup> The City shall provide a proposed schedule on or before December 17, 2021 (unless the parties agree to extend this deadline).

As to the number of depositions, the parties are directed to confer about this issue as soon as practicable. Any dispute about the number should be presented to the Court promptly and in accordance with paragraph 2.A of the Court's Individual Practices.

As to the issue of settlement negotiations, the Court will contact the attorneys shortly to arrange a conference call to discuss this issue.

SO ORDERED.

Dated: December 7, 2021  
New York, New York

  
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GABRIEL W. GORENSTEIN  
United States Magistrate Judge

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<sup>1</sup> To satisfy this obligation, an official who frequently has compelling and emergent reasons to deviate from his or her previously-planned commitments should consider blocking out more than one day for the deposition so that if the first day becomes unavailable the other day is available instead.